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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,763	11/19/2003	Daniel T. Thompson	200302326-2	6213

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

DATSKOVSKIY, MICHAEL V

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/716,763

Applicant(s)

THOMPSON ET AL.

Examiner

Michael V Datskovskiy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1,2,5,7-12,14-26 and 29 is/are rejected.
- 7) ☐ Claim(s) 3,4,6,13,27 and 28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/19/2003
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 10/21/2004 have been fully considered but they are not persuasive.

First: Regarding the translations of the foreign references: The translation of the reference by Neukam is included. Applicants on 11/21/2003 in the IDS submitted the reference by Hamagishi et al with English abstract, which was enough for examiner to understand its main structure. Therefore it is applicant's responsibility to submit the translation if they are not satisfied with examiner's interpretation of the reference.

Second: Regarding the reference by Neukam: Examiner does not agree with applicant's interpretation of the reference: Neukam teaches the structure, which could be interpreted as the one claimed by the applicant – The multiple fan tray (chassis) KET (the slide-in cassette unit carrier, page 2 of the translation) inherently mountable in an electronic device, comprising a plurality of slide-in cassette unit KE including a fan, wherein said fans are hot-pluggable and could be changed while running (See translation, page 2, lines 8-9). Applicant has not submitted any arguments in regard to the reference by Hamagishi et al. Hence, the previous rejection stays.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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3. Claims 1, 4, 7-9, 14-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Neukam.

Neukam teaches a fan tray, Figs.1-4, comprising: a multiple fan chassis KET having a plurality of latch-mounted fan supports, wherein the chassis is mountable in an electronic device and is movable to a withdrawn access position adapted to provide access to a plurality of fan supports KE and, wherein the multiple fan chassis comprises airflow passages directed from the plurality of fan supports KE into the electronic device in the withdrawn access position. Neukam teaches furthermore said plurality of fan supports comprise two sets of sequential fan mounts, wherein said sets of fan mounts are adapted to orient fans to provide first and second substantially parallel airflows.

4. Claims 1-2, 5, 8-10, 11-12, 16-26 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by previously cited Hamagishi et al.

Hamagishi et al teach a rack mounted fan tray 6, Figs.1-9, comprising: multiple fan chassis 14 having a plurality of fan supports, wherein the chassis is mountable in an electronic device 1 and is movable to a withdrawn access position adapted to provide access to a plurality of fan supports and, wherein the multiple fan chassis comprises airflow passages directed from the plurality of fan supports into the electronic device in the withdrawn access position. Hamagishi et al teach furthermore said fan tray comprising a continues power supply to maintain power to the multiple fan chassis in the withdrawn position; said fan tray comprises an airflow passage coupled with the chassis in both the installed and the extracted positions; wherein said fan tray is movable in the direction of the airflow, and at least one fan 15 is installed/removed in a

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lateral direction substantially perpendicular to the airflow direction. Regarding to the claims 20-26 and 29: The method steps are necessitated by the device structure as Hamagishi et al dispose it.

Allowable Subject Matter

5. Claims 3-4, 6, 13, 27 and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: The fan chassis comprises at least one mounting latch adapted to secure the multiple fan chassis to the electronic device (claim 3); The plurality of fan supports comprise a latch-mountable fan receptacle (claim 4); the plurality of fan supports comprise a side-mounting mechanism disposed on at least two different sides of the multiple fan chassis (claims 6, 13, 28); The method set forth in claim 25, including forming two parallel sequential sets of fan mounts (claim 27).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

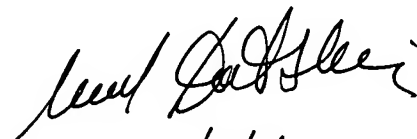
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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael V Datskovskiy whose telephone number is (571) 272-2040. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Field can be reached on (571) 272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


12/13/04

Michael V Datskovskiy
Primary Examiner
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